



**DEBRA BOWEN** | SECRETARY OF STATE  
STATE OF CALIFORNIA | ELECTIONS

1500 11th Street, 5th Floor | Sacramento, CA 95814 | Tel (916) 657-2166 | Fax (916) 653-3214 | [www.sos.ca.gov](http://www.sos.ca.gov)

DATE: December 19, 2007

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS (07269)

FROM:

A handwritten signature in blue ink, reading "Evelyn Mendez", written over a horizontal line.

Evelyn Mendez, Program Manager  
Candidates and Elections

SUBJECT: AB 1090 – Ballot Designation Worksheet

As you know AB 1090 requires a candidate who submits a ballot designation on his or her nomination documents to also file a ballot designation worksheet.

Enclosed is the new Ballot Designation Worksheet. For the current ballot designation regulations visit our website at:

[http://www.sos.ca.gov/elections/approved\\_bd\\_regs.pdf](http://www.sos.ca.gov/elections/approved_bd_regs.pdf)

The regulations are currently being updated and will be mailed to you as soon as they are available.

Feel free to call us if you have any questions regarding candidate filing or election reporting matters.

Evelyn Mendez	(916) 653-9155	<a href="mailto:evelyn.mendez@sos.ca.gov">evelyn.mendez@sos.ca.gov</a>
Stephanie Golka	(916) 651-8975	<a href="mailto:stephanie.golka@sos.ca.gov">stephanie.golka@sos.ca.gov</a>
Rhonda Pascual	(916) 651-8190	<a href="mailto:rhonda.pascual@sos.ca.gov">rhonda.pascual@sos.ca.gov</a>

Attachment

## BALLOT DESIGNATION WORKSHEET

Name of Candidate: \_\_\_\_\_

Office Sought: \_\_\_\_\_

Daytime Telephone Number: \_\_\_\_\_ Evening: \_\_\_\_\_

FAX Number: \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

Name of Attorney (or other person authorized to act in your behalf)

\_\_\_\_\_  
Telephone Number: \_\_\_\_\_

FAX Number: \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

PROPOSED BALLOT DESIGNATION: \_\_\_\_\_

1<sup>st</sup> Alternative: \_\_\_\_\_

2<sup>nd</sup> Alternative: \_\_\_\_\_

Describe what you do and why you believe you are entitled to use the requested ballot designation. If using the title of an elective office, you may submit a copy of your certificate of election or appointment.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Your Job Title: \_\_\_\_\_

Dates in Position: \_\_\_\_\_

Name of Employer or Business: \_\_\_\_\_

Person(s) who can verify this information:

Name(s): \_\_\_\_\_

Telephone Number(s): \_\_\_\_\_

To the best of my knowledge and belief, the above-requested ballot designation(s) represent my true principal profession(s), vocation(s), and/or occupation(s) that I am entitled to use as my ballot designations pursuant to §13107 of the California Elections Code.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, in \_\_\_\_\_  
(Location)

You may attached any documents or exhibits that you believe support your proposed ballot designation. These documents will not be returned to you, so **do not submit originals**.

For your reference, the relevant provisions of Elections Code §13107 are reproduced below:

**13107.** (a) With the exception of candidates for Justice of the State Supreme Court or court of appeal, immediately under the name of each candidate, and not separated from the name by any line, may appear at the option of the candidate only one of the following designations:

(1) Words designating the elective city, county, district, state, or federal office which the candidate holds at the time of filing the nomination documents to which he or she was elected by vote of the people, or to which he or she was appointed, in the case of a superior, municipal, or justice court judge.

(2) The word "incumbent" if the candidate is a candidate for the same office which he or she holds at the time of filing the nomination papers, and was elected to that office by a vote of the people, or, in the case of a superior, municipal, or justice court judge, was appointed to that office.

(3) No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents. For purposes of this section, all California geographical names shall be considered to be one word.

(4) The phrase "appointed incumbent" if the candidate holds an office other than a judicial office by virtue of appointment, and the candidate is a candidate for election to the same office, or, if the candidate is a candidate for election to the same office or to some other office, the word "appointed" and the title of the office. In either instance, the candidate may not use the unmodified word "incumbent" or any words designating the office unmodified by the word "appointed." However, the phrase "appointed incumbent" shall not be required of a candidate who seeks reelection to an office which he or she holds and to which he or she was appointed, as a nominated candidate, in lieu of an election, pursuant to Sections 5326 and 5328 of the Education Code or Section 7228, 7423, 7673, 10229, or 10515 of this code.

(b) Neither the Secretary of State nor any other election official shall accept a designation of which any of the following would be true:

(1) It would mislead the voter.

(2) It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.

(3) It abbreviates the word "retired" or places it following any word or words which it modifies.

(4) It uses a word or prefix, such as "former" or "ex-," which means a prior status. The only exception is the use of the word "retired."

(5) It uses the name of any political party, whether or not it has qualified for the ballot.

(6) It uses a word or words referring to a racial, religious, or ethnic group.

(7) It refers to any activity prohibited by law.

(c) If, upon checking the nomination documents, the election official finds the designation to be in violation of any of the restrictions set forth in this section, the election official shall notify the candidate by registered or certified mail return receipt requested, addressed to the mailing address appearing on the candidate's nomination documents.

(1) The candidate shall, within three days from the date of receipt of the notice, appear before the election officer or, in the case of the Secretary of State, notify the Secretary of State by telephone, and provide an alternate designation.

(2) In the event the candidate fails to provide an alternate designation, no designation shall appear after the candidate's name.

(d) No designation given by a candidate shall be changed by the candidate after the final date for filing nomination documents, except as specifically requested by the elections official as specified in subdivision (c) or as provided in subdivision (e).

(e) The designation shall remain the same for all purposes of both primary and general elections, unless the candidate, at least 98 days prior to the general election, requests in writing a different designation which the candidate is entitled to use at the time of the request.

**13107.5.** (a) A candidate's ballot designation as "community volunteer" shall constitute a valid principal vocation or occupation for purposes of subdivision (a) of Section 13107, if not otherwise in violation of any of the restrictions set forth in that section, and subject to the following conditions:

(1) A candidate's community volunteer activities constitute his or her principal profession, vocation, or occupation.

(2) A candidate is not engaged concurrently in another principal profession, vocation, or occupation.

(3) A candidate may not use the designation of "community volunteer" in combination with any other principal profession, vocation, or occupation designation.

(b) The Secretary of State shall by regulation define what constitutes a community volunteer for purposes of this section.